

1
2
3
4
5
6
7
8
9
10
**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

11 Abdi Nazemian, et al.,
12 Plaintiffs,
13 vs.

14 NVIDIA Corporation,
15 Defendant.

16
17 Andre Dubus III, et al.,
18 Plaintiffs,
19 vs.
20 NVIDIA Corp.,
21 Defendant.

Case No. 4:24-cv-01454-JST
Case No. 4:24-cv-02655-JST

**JOINT STIPULATION AND [PROPOSED]
ORDER RE CASE SCHEDULE**

Judge: Hon. Jon S. Tigar
Courtroom: 6 - 2nd Floor

JOINT STIPULATION RE PROPOSED CASE SCHEDULE

Pursuant to Civil Local Rule 6-1 and the Court's Order After Case Management Conference (ECF No. 68), entered on September 9, 2024, the parties jointly submit the following proposed case schedule:

<u>Event</u>	<u>Proposed Date</u>
Parties must submit stipulated ESI Protocol or each file letter brief up to 10 pages	September 19, 2024
Parties must submit stipulated Protective Order or each file letter brief up to 10 pages	September 19, 2024
If required, parties each submit responsive brief up to 5 pages regarding ESI Protocol	September 26, 2024
If required, parties each submit responsive brief up to 5 pages regarding Protective Order	September 26, 2024
Hearing on proposed Protective Order and ESI Protocol	October 16, 2024, 9:30 am PT
Date by which parties must submit an agreed upon Deposition Protocol or a joint letter brief regarding any disputed areas	March 25, 2025
Deadline for Plaintiffs to file an amended pleading	April 15, 2025
Substantial completion of productions	July 1, 2025
Deadline for Producing party to complete production of privilege logs for any documents redacted or withheld on the basis of any privilege to date	July 17, 2025
Close of Fact Discovery	November 20, 2025
Service of Opening Expert Report(s) (on issues for which a party bears the burden of proof)	January 7, 2026
Service of Rebuttal Expert Report(s) (on issues for which a party does not bear the burden of proof)	February 18, 2026
Service of Expert Reply Report(s)	April 1, 2026

<u>Event</u>	<u>Proposed Date</u>
Close of Expert Discovery	April 17, 2026
Filing of Summary Judgment Motions on Fair Use ¹	May 19, 2026
Filing of <i>Daubert</i> Motions	May 19, 2026
Filing of Oppositions to Summary Judgment Motions on Fair Use	June 16, 2026
Filing of Oppositions to <i>Daubert</i> Motions	June 16, 2026
Filing of Replies in Support of Summary Judgment Motions on Fair Use	July 14, 2026
Filing of Replies in Support of <i>Daubert</i> Motion(s)	July 14, 2026
Hearing on Summary Judgment Motion on Fair Use and <i>Daubert</i> Motions	<i>At the Court's convenience</i>
Deadline for filing Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Deadline for filing Oppositions to Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Deadline for filing Replies in Support of Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Hearing on Class Certification and/or other Rule 56 Motions	<i>At the Court's convenience</i>
Trial Ready Date	Dates to Be Confirmed

The parties reserve the right to seek to revisit the schedule should subsequent developments warrant such action.

¹ Per the Court's directive at the Case Management Conference on August 29, 2024, a party filing a motion for summary judgment in advance of class certification waives the one-way intervention rule.

1 Dated: September 9, 2024

Respectfully submitted,

2 By: /s/ Joseph R. Saveri

3 Joseph R. Saveri (SBN 130064)
4 Christopher K.L. Young (SBN 318371)
5 Elissa A. Buchanan (SBN 249996)
6 Evan Creutz (SBN 349728)
7 **JOSEPH SAVERI LAW FIRM, LLP**
8 601 California Street, Suite 1505
9 San Francisco, California 94108
10 Telephone: (415) 500-6800
11 Facsimile: (415) 395-9940
12 Email: jsaveri@saverilawfirm.com
13 cyoung@saverilawfirm.com
14 eabuchanan@saverilawfirm.com
15 ecreutz@saverilawfirm.com

16 Matthew Butterick (SBN 250953)
17 1920 Hillhurst Avenue, #406
18 Los Angeles, CA 90027
19 Telephone: (323) 968-2632
20 Facsimile: (415) 395-9940
21 mb@buttericklaw.com

22 Brian D. Clark (admitted *pro hac vice*)
23 Laura M. Matson (admitted *pro hac vice*)
24 Arielle Wagner (admitted *pro hac vice*)
25 Eura Chang (admitted *pro hac vice*)
26 **LOCKRIDGE GRINDAL NAUEN PLLP**
27 100 Washington Avenue South, Suite 2200
28 Minneapolis, MN 55401
Telephone: (612)339-6900
Facsimile: (612)339-0981
bdclark@locklaw.com
lmmatson@locklaw.com
aswagner@locklaw.com
echang@locklaw.com

Attorneys for the Nazemian Plaintiffs and the Proposed Class

1 Dated: September 9, 2024

Respectfully submitted,

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes (admitted *pro hac vice*)
4 **CAFFERTY CLOBES MERIWETHER**
5 **& SPRENGEL LLP**
6 205 N. Monroe Street
7 Media, PA 19063
8 Tel: 215-864-2800
9 bclobes@caffertyclobes.com

10 Alexander J. Sweatman (admitted *pro hac vice*)
11 Mohammed Rathur (admitted *pro hac vice*)
12 **CAFFERTY CLOBES MERIWETHER**
13 **& SPRENGEL LLP**
14 135 South LaSalle Street, Suite 3210
15 Chicago, IL 60603
16 Tel: 312-782-4880
17 asweatman@caffertyclobes.com

18 David A. Straite (admitted *pro hac vice*)
19 **DiCELLO LEVITT LLP**
20 485 Lexington Avenue, Suite 1001
21 New York, NY 10017
22 Tel. (646) 933-1000
23 dstraite@dicellolevitt.com

24 Amy E. Keller (admitted *pro hac vice*)
25 Nada Djordjevic (admitted *pro hac vice*)
26 James A. Ulwick (admitted *pro hac vice*)
27 **DiCELLO LEVITT LLP**
28 Ten North Dearborn Street, Sixth Floor
Chicago, Illinois 60602
Tel. (312) 214-7900
akeller@dicellolevitt.com
ndjordjevic@dicellolevitt.com
julwick@dicellolevitt.com

Brian O'Mara, SBN 229737
DiCELLO LEVITT LLP
4747 Executive Drive
San Diego, California 92121
Telephone: (619) 923-3939
Facsimile: (619) 923-4233
briano@dicellolevitt.com

Counsel for the Dubus Plaintiffs and Proposed Class

1 Dated: September 9, 2024

Respectfully Submitted,

2 By: /s/ Sean S. Pak

3 **QUINN EMANUEL URQUHART &**
4 **SULLIVAN, LLP**

5 Sean S. Pak (SBN 219032)
6 seanpak@quinnemanuel.com
7 50 California Street, 22nd Floor
8 San Francisco, CA 94111
9 Telephone: (415) 875-6600
10 Facsimile: (415) 875-6700

11 Andrew H. Schapiro (admitted *pro hac vice*)
12 andrewschapiro@quinnemanuel.com
13 191 N. Wacker Drive, Suite 2700
14 Chicago, Illinois 60606
15 Telephone: (312) 705-7400
16 Facsimile: (312) 705-4001

17 Alex Spiro (admitted *pro hac vice*)
18 alexspiro@quinnemanuel.com
19 51 Madison Avenue, 22nd Floor
20 New York, NY 10010
21 Telephone: (212) 849-7000
22 Facsimile: (212) 849-7100

23 *Attorneys for Defendant NVIDIA Corporation*
24
25
26
27
28

[PROPOSED] ORDER

Pursuant to the stipulation of the Parties, and for good cause appearing, it is hereby ORDERED that the Parties shall adhere to the following case schedule:

<u>Event</u>	<u>Proposed Date</u>
Parties must submit stipulated ESI Protocol or each file letter brief up to 10 pages	September 19, 2024
Parties must submit stipulated Protective Order or each file letter brief up to 10 pages	September 19, 2024
If required, parties each submit responsive brief up to 5 pages regarding ESI Protocol	September 26, 2024
If required, parties each submit responsive brief up to 5 pages regarding Protective Order	September 26, 2024
Hearing on proposed Protective Order and ESI Protocol	October 16, 2024, 9:30 am PT
Date by which parties must submit an agreed upon Deposition Protocol or a joint letter brief regarding any disputed areas	March 25, 2025
Deadline for Plaintiffs to file an amended pleading	April 15, 2025
Substantial completion of production	July 1, 2025
Deadline for Producing party to complete production of privilege logs for any documents redacted or withheld on the basis of any privilege to date	July 17, 2025
Close of Fact Discovery	November 20, 2025
Service of Opening Expert Report(s) (on issues for which a party bears the burden of proof)	January 7, 2026
Service of Rebuttal Expert Report(s) (on issues for which a party does not bear the burden of proof)	February 18, 2026
Service of Expert Reply Report(s)	April 1, 2026
Close of Expert Discovery	April 17, 2026

<u>Event</u>	<u>Proposed Date</u>
Filing of Summary Judgment Motions on Fair Use ²	May 19, 2026
Filing of <i>Daubert</i> Motions	May 19, 2026
Filing of Oppositions to Summary Judgment Motions on Fair Use	June 16, 2026
Filing of Oppositions to <i>Daubert</i> Motions	June 16, 2026
Filing of Replies in Support of Summary Judgment Motions on Fair Use	July 14, 2026
Filing of Replies in Support of <i>Daubert</i> Motion(s)	July 14, 2026
Hearing on Summary Judgment Motion on Fair Use and <i>Daubert</i> Motions	<i>At the Court's convenience</i>
Deadline for filing Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Deadline for filing Oppositions to Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Deadline for filing Replies in Support of Class Certification Motion and/or other Rule 56 Motions	Dates to Be Confirmed
Hearing on Class Certification and/or other Rule 56 Motions	<i>At the Court's convenience</i>
Trial Ready Date	Dates to Be Confirmed

IT IS SO ORDERED.

Dated: _____

The Honorable Jon S. Tigar
U.S. District Court Judge

² Per the Court's directive at the Case Management Conference on August 29, 2024, a party filing a motion for summary judgment in advance of class certification waives the one-way intervention rule.

ATTESTATION PURSUANT TO CIVIL L.R. 5-1

The filer attests that the other signatories listed, on whose behalf the filing is also submitted, are registered CM/ECF filers and concur in the filing's content and have authorized the filing.

Dated: September 9, 2024

/s/ Joseph R. Saveri
Joseph R. Saveri